



General Assembly

Substitute Bill No. 5680

February Session, 2000

An Act Amending Election Laws.

Be it enacted by the Senate and House of Representatives in General Assembly convened:

1 Section 1. Section 9-65 of the general statutes is repealed and the
2 following is substituted in lieu thereof:

3 [(a)] Within a week after the last session of the registrars of voters
4 under section 9-17 before an election, the registrars of voters in each
5 municipality shall submit in writing to the Secretary of the State a
6 statement setting forth the total number of electors on the active and
7 inactive registry list, the total number of electors enrolled on each
8 active and inactive party enrolment list and the total number of
9 unaffiliated electors on the active and inactive registry list in such
10 municipality. They shall omit therefrom electors on the last-completed
11 registry list or enrolment lists who have died, and they shall include
12 therein electors who have acquired electoral or enrolment privileges
13 since the last-completed registry list or enrolment lists were perfected.
14 In municipalities divided into two voting districts which elect
15 registrars of voters for each district, such information shall be so
16 submitted by the registrars of voters of the first district. Such statement
17 shall be deemed to be submitted within the time required if it is either
18 (1) postmarked by the United States Postal Service not earlier than
19 eight o'clock p.m. on the day of such last session of the registrars and
20 not later than midnight on the seventh day following such last session,
21 or (2) delivered by hand or by electronically transmitted facsimile to

22 the office of the Secretary of the State not earlier than the first day
23 following, and not later than four-thirty o'clock p.m. on the seventh
24 day following, such last session.

25 [(b) After the last session of the registrars of voters under section 9-
26 17 before each election, the registrars of voters in each municipality
27 shall submit in writing to the Secretary of the State a statement setting
28 forth the total number of names of new electors added to the registry
29 list, and the total number of names of former electors removed from
30 the registry list, in such municipality during the period between the
31 two most recent such last sessions. Such statement shall be submitted
32 annually at a time to be determined by the Secretary of the State. In
33 municipalities divided into two voting districts that elect registrars of
34 voters for each district, such statement shall be so submitted by the
35 registrars of voters of the first district.]

36 Sec. 2. Subsection (b) of section 9-314 of the general statutes is
37 repealed and the following is substituted in lieu thereof:

38 (b) The moderator of each municipal election in each town not
39 divided into voting districts, and the head moderator in each town
40 divided into voting districts shall [forthwith] transmit to the Secretary
41 of the State the results of the vote for each office contested at such
42 election not later than forty-eight hours after the close of the polls.
43 Such moderator or head moderator shall include in such return a
44 statement of the total number of names on the official check list of such
45 town and the total number checked as having voted. Such return shall
46 be on a form prescribed by the Secretary of the State.

47 Sec. 3. Section 9-333d of the general statutes is amended by adding
48 subsection (d) as follows:

49 (NEW) (d) (1) In addition to its jurisdiction over persons who are
50 residents of this state, the State Elections Enforcement Commission
51 may exercise personal jurisdiction over any nonresident person, or the
52 agent of such person, who makes a payment of money, gives anything
53 of value, or makes a contribution or expenditure to or for the benefit of

54 any committee or candidate.

55 (2) Where personal jurisdiction is based solely upon this subsection,
56 an appearance does not confer personal jurisdiction with respect to
57 causes of action not arising from an act enumerated in this subsection.

58 (3) Any nonresident person or the agent of such person over whom
59 the State Elections Enforcement Commission may exercise personal
60 jurisdiction, as provided in subdivision (1), shall be deemed to have
61 appointed the Secretary of the State as the person's or agent's attorney
62 and to have agreed that any process in any complaint, investigation or
63 other matter conducted pursuant to section 9-7b brought against the
64 nonresident person, or said person's agent, may be served upon the
65 Secretary of the State and shall have the same validity as if served
66 upon such nonresident person or agent personally. The process shall
67 be served by the officer to whom the same is directed upon the
68 Secretary of the State by leaving with or at the office of the Secretary of
69 the State, at least twelve days before any required appearance day of
70 such process, a true and attested copy of such process, and by sending
71 to the nonresident person or agent so served, at the person's or agent's
72 last-known address, by registered or certified mail, postage prepaid, a
73 like and attested copy with an endorsement thereon of the service
74 upon the Secretary of the State. The Secretary of the State shall keep a
75 record of each such process and the day and hour of service.

76 Sec. 4. Subsections (a) and (b) of section 9-333e of the general
77 statutes are repealed and the following is substituted in lieu thereof:

78 (a) [Statements filed by party committees, political committees] A
79 state central committee, a political committee formed to aid or promote
80 the success or defeat of a referendum question proposing a
81 constitutional convention, constitutional amendment or revision of the
82 constitution, an individual [lobbyists, and those political committees
83 and candidate committees] lobbyist and a political committee or
84 candidate committee formed to aid or promote the success or defeat of
85 any candidate for the office of Governor, Lieutenant Governor,

86 Secretary of the State, Treasurer, Comptroller, Attorney General,
87 sheriff, judge of probate, [and members of the General Assembly shall
88 be filed,] state senator or state representative shall file statements
89 required under section 9-333j or subsection (g) of section 9-333l with
90 the office of the Secretary of the State. [A copy of each statement filed
91 by a] A town committee shall [be filed at the same time with] file
92 statements required under section 9-333j with both the Secretary of the
93 State and the town clerk of the municipality in which the committee is
94 situated. A political committee formed for a slate of candidates in a
95 primary for the position of convention delegate shall file statements
96 required under section 9-333j with both the [secretary of the state]
97 Secretary of the State and the town clerk of the municipality in which
98 the primary is to be held.

99 (b) [Statements filed by political committees] A political committee
100 formed solely to aid or promote the success or defeat of a referendum
101 question to be voted upon by the electors of a single municipality and
102 [those] a political [committees] committee or candidate [committees]
103 committee formed to aid or promote the success or defeat of any
104 candidate for public office, other than [those] a candidate enumerated
105 in subsection (a), or the position of town committee member shall [be
106 filed] file statements required under section 9-333j only with the town
107 clerk of the municipality in which the election or referendum is to be
108 held. Each unsalaried town clerk shall be entitled to receive ten cents
109 from the town for the filing of each such statement.

110 Sec. 5. Subsection (d) of section 9-333l of the general statutes, as
111 amended by section 2 of public act 99-12, is repealed and the following
112 is substituted in lieu thereof:

113 (d) (1) No incumbent holding office shall, during the three months
114 preceding an election in which [he] said incumbent is a candidate for
115 reelection or election to another office, use public funds to mail or print
116 flyers or other promotional materials intended to bring about [his] said
117 incumbent's election or reelection.

118 (2) No official or employee of the state or a political subdivision of
119 the state shall authorize the use of public funds for a television, radio,
120 newspaper or magazine promotional campaign or advertisement,
121 which (A) features the name, face or voice of a candidate for public
122 office or (B) promotes the nomination or election of a candidate for
123 public office, during the five-month period preceding the election
124 being held for the office which the candidate described in this
125 subdivision is seeking.

126 (3) No official or employee of a municipality shall use or authorize
127 the use of public funds to provide to any candidate for nomination or
128 election to a municipal office information or access to municipal
129 officials, municipal employees or meetings or programs available to
130 municipal officials or employees unless such information or access is
131 provided to all candidates for such office. A municipal official or
132 employee shall not be prohibited under this subdivision from using or
133 authorizing the use of public funds to provide such information or
134 access to a candidate who would otherwise be entitled to such
135 information or access because of a position the candidate currently
136 holds as a municipal official or employee.

137 Sec. 6. Section 9-333n of the general statutes is repealed and the
138 following is substituted in lieu thereof:

139 (a) No individual shall make a contribution or contributions in any
140 one calendar year in excess of five thousand dollars to the state central
141 committee of any party, or for the benefit of such committee pursuant
142 to its authorization or request; or one thousand dollars to a town
143 committee of any political party, or for the benefit of such committee
144 pursuant to its authorization or request; or one thousand dollars to a
145 political committee other than (1) a political committee formed solely
146 to aid or promote the success or defeat of a referendum question, (2) an
147 exploratory committee, (3) a political committee established by an
148 organization, or for the benefit of such committee pursuant to its
149 authorization or request or (4) a political committee formed by a slate
150 of candidates in a primary for the position of delegate to the same

151 convention. No individual who intends to make a contribution to any
152 clearly identifiable candidate's campaign for nomination or election to
153 any public office may do so unless the contribution is made directly to
154 the candidate's designated candidate or exploratory committee or to a
155 solicitor appointed by the campaign treasurer of such committee. A
156 political committee or party committee may not accept a contribution
157 from an individual which is intended to be made for such purpose.
158 This prohibition shall not apply to a contribution made to benefit a
159 slate of candidates whose campaigns are funded solely by a party
160 committee or political committee formed for a single primary or
161 election as permitted by subsection (b) of section 9-333f.

162 (b) No individual shall make a contribution to a political committee
163 established by an organization which receives its funds from the
164 organization's treasury. With respect to a political committee
165 established by an organization which has complied with the provisions
166 of subsection (b) or (c) of section 9-333p, and has elected to receive
167 contributions, no individual other than a member of the organization
168 may make contributions to the committee, in which case the individual
169 may contribute not more than five hundred dollars in any one calendar
170 year to such committee or for the benefit of such committee pursuant
171 to its authorization or request.

172 (c) In no event may any individual make contributions to a
173 candidate committee and a political committee formed solely to
174 support one candidate other than an exploratory committee or for the
175 benefit of a candidate committee and a political committee formed
176 solely to support one candidate pursuant to the authorization or
177 request of any such committee, in an amount which in the aggregate is
178 in excess of the maximum amount which may be contributed to the
179 candidate.

180 (d) Any individual may make unlimited contributions or
181 expenditures to aid or promote the success or defeat of any
182 referendum question, provided any individual who makes an
183 expenditure or expenditures in excess of one thousand dollars to

184 promote the success or defeat of any referendum question shall file
185 statements according to the same schedule and in the same manner as
186 is required of a campaign treasurer of a political committee under
187 section 9-333j.

188 (e) Any individual acting alone may, independent of any candidate,
189 agent of the candidate, or committee, make unlimited expenditures to
190 promote the success or defeat of any candidate's campaign for election,
191 or nomination at a primary, to any office or position, provided any
192 individual who makes an independent expenditure or expenditures in
193 excess of one thousand dollars to promote the success or defeat of any
194 candidate's campaign for election, or nomination at a primary, to any
195 such office or position shall file statements according to the same
196 schedule and in the same manner as is required of a campaign
197 treasurer of a candidate committee under section 9-333j.

198 (f) (1) As used in this subsection, "investment services" means legal
199 services, investment banking services, investment advisory services,
200 underwriting services, financial advisory services or brokerage firm
201 services.

202 (2) [No] On or after October 1, 1995, and before the effective date of
203 this section, no individual who is an owner of a firm which provides
204 investment services and to which the Treasurer pays compensation,
205 expenses or fees or issues a contract, and no individual who is
206 employed by such a firm as a manager, officer, director, partner or
207 employee with managerial or discretionary responsibilities to invest,
208 manage funds or provide investment services for brokerage,
209 underwriting and financial advisory activities which are in the
210 statutory and constitutional purview of the Treasurer, shall make a
211 contribution [on or after October 1, 1995,] to, or solicit contributions
212 [on or after said date] on behalf of, an exploratory committee or
213 candidate committee established by a candidate for nomination or
214 election to the office of Treasurer during the term of office of the
215 Treasurer which pays compensation, expenses or fees or issues a
216 contract to such firm.

217 (3) On or after the effective date of this section, no individual who is
218 an owner of a firm which provides investment services and to which
219 the Treasurer pays compensation, expenses or fees or issues a contract,
220 no individual who is employed by such a firm as a manager, officer,
221 director, partner or employee with managerial or discretionary
222 responsibilities to invest, manage funds or provide investment services
223 for brokerage, underwriting and financial advisory activities which are
224 in the statutory and constitutional purview of the Treasurer and no
225 individual serving in any such capacity for a subcontractor of such a
226 firm under any contract issued by the Treasurer shall make a
227 contribution to, or solicit contributions on behalf of, an exploratory
228 committee or candidate committee established by a candidate for
229 nomination or election to the office of Governor, Lieutenant Governor,
230 Treasurer, Secretary of the State, Comptroller or Attorney General,
231 during the term of office of the Treasurer who pays compensation,
232 expenses or fees or issues a contract to such firm.

233 (4) No candidate for nomination or election to the office of Treasurer
234 shall solicit contributions, on behalf of a candidate committee
235 established by a candidate for nomination or election to any public
236 office or on behalf of any political committee or party committee, from
237 (A) any individual who is an owner of a firm which provides
238 investment services and to which the Treasurer pays compensation,
239 expenses or fees or issues a contract, (B) any individual who is
240 employed by such a firm as a manager, officer, director, partner or
241 employee with managerial or discretionary responsibilities to invest,
242 manage funds or provide investment services for brokerage,
243 underwriting and financial advisory activities that are in the statutory
244 and constitutional purview of the Treasurer, (C) the spouse of any such
245 individual or a dependent child of any such individual who resides in
246 the individual's household, or (D) a political committee established by
247 any such firm.

248 (5) The Treasurer shall keep a list of firms which provide investment
249 services and to which the Treasurer pays compensation, expenses or
250 fees or issues contracts. Said list shall be subject to disclosure under the

251 Freedom of Information Act and shall be available to the State
252 Elections Enforcement Commission. Each investment services contract
253 issued by the Treasurer shall include the provisions of subdivisions (3)
254 and (4) of this subsection as conditions of the contract. Each firm which
255 provides investment services and to which the Treasurer pays
256 compensation, expenses or fees or issues a contract shall maintain a list
257 of the firm's managers, officers, directors, partners and employees with
258 managerial or discretionary responsibilities to invest, manage funds or
259 provide investment services for brokerage, underwriting and financial
260 advisory activities and shall provide such list to the State Elections
261 Enforcement Commission upon request.

262 (g) (1) As used in this subsection, "state officer" means the Governor,
263 Lieutenant Governor, Secretary of the State, Comptroller, Attorney
264 General or Treasurer.

265 (2) If a state officer awards a contract or contracts which, separately
266 or in the aggregate, have a value of one hundred thousand dollars or
267 more to a business, (A) no individual who is an owner, partner,
268 director or officer of said business, or a manager of said business who
269 has substantial policy or decision-making authority concerning the
270 administration of the contract shall make a contribution or
271 contributions in excess of one hundred dollars to, or for the benefit of,
272 said state officer's campaign for nomination at a primary or reelection
273 to the same office or election to any other public office or to an
274 exploratory committee formed by said state officer, and (B) said state
275 officer and the officer's committee or agent shall not solicit
276 contributions, on behalf of the candidate or exploratory committee
277 established by said state officer or the candidate or exploratory
278 committee established by any other candidate for nomination or
279 election to any other public office or on behalf of any political
280 committee or party committee, from (i) any individual who is an
281 owner, officer, director, partner or such a manager of said business, (ii)
282 the spouse of any such individual or a dependent child of any such
283 individual who resides in the individual's household, (iii) a political
284 committee established by said business, or (iv) any individual who is

285 an owner, officer, director or partner of a subcontractor of said
286 business or a manager of said subcontractor who has substantial policy
287 or decision-making authority concerning the administration of the
288 subcontract.

289 (3) Each state officer shall keep a list of (A) businesses to which the
290 state officer has awarded a contract or contracts of one hundred
291 thousand dollars or more, and (B) all subcontractors under said
292 contracts. Said list shall be subject to disclosure under the Freedom of
293 Information Act and shall be available to the State Elections
294 Enforcement Commission. Each contract issued by a state officer shall
295 include the provisions of subparagraph (A) of subdivision (2) of this
296 subsection as a condition of the contract. Each business to which a state
297 officer has awarded a contract or contracts of one hundred thousand
298 dollars or more and each subcontractor under said contract shall
299 maintain a list of such business's or subcontractor's owners, partners,
300 directors, officers and managers with substantial policy or decision-
301 making authority related to the administration of such contracts and
302 shall provide such list to the State Elections Enforcement Commission
303 upon request.

304 (4) For purposes of this subsection, (A) a contract awarded by a
305 department head in the executive branch of state government who is
306 appointed by the Governor shall be deemed to have been awarded by
307 the Governor, and (B) a contract awarded by a board, commission,
308 council or other multimember authority, for which a majority of the
309 members are appointed by a single state officer, shall be deemed to
310 have been awarded by said state officer.

311 (h) Any candidate who (1) has filed a certification pursuant to
312 subdivision (2) or (3) of subsection (b) of section 9-333f, and (2)
313 personally makes an expenditure or expenditures in excess of one
314 thousand dollars to, or for the benefit of, said candidate's campaign for
315 nomination at a primary or election to an office or position shall file
316 statements according to the same schedule and in the same manner as
317 is required of a campaign treasurer of a candidate committee under

318 section 9-333j.

319 Sec. 7. Subsection (b) of section 9-333o of the general statutes is
320 repealed and the following is substituted in lieu thereof:

321 (b) A business entity may make reasonable and necessary transfers
322 or disbursements to or for the benefit of a political committee
323 established by such business entity, for the administration of, or
324 solicitation of contributions to, such political committee. No business
325 entity shall establish more than one political committee. Nonmonetary
326 contributions by a business entity which are incidental in nature and
327 are directly attributable to the administration of such political
328 committee shall be exempt from the reporting requirements of this
329 chapter.

330 Sec. 8. Section 9-333w of the general statutes is amended by adding
331 subsection (g) as follows:

332 (NEW) (g) The campaign treasurer of an exploratory committee or
333 candidate committee established by a candidate for nomination or
334 election as a state officer, as defined in subdivision (1) of subsection (g)
335 of section 9-333n, as amended, which sponsors any written, typed or
336 other printed communication for the purpose of raising funds shall
337 include in such communication a statement concerning the
338 contribution limit set forth in subsection (g) of section 9-333n, as
339 amended by this act.

340 Sec. 9. Subsection (b) of section 9-333y of the general statutes is
341 repealed and the following is substituted in lieu thereof:

342 (b) If any campaign treasurer or lobbyist fails to file the statements
343 required by section 9-333j or subsection (g) of section 9-333l, as the case
344 may be, within the time required, [he] the campaign treasurer or
345 lobbyist shall pay a late filing fee of fifty-five dollars. In the case of a
346 statement that is required to be filed with the Secretary of the State, the
347 secretary shall, within ten days after the filing deadline, notify by
348 certified mail, return receipt requested, the person required to file that,

349 if such statement is not filed within twenty-one days after the deadline,
350 the person is in violation of said section or subsection. If the person
351 does not file such statement within twenty-one days after the deadline,
352 the secretary shall notify the State Elections Enforcement Commission
353 within twenty-eight days after the deadline. In the case of a statement
354 that is required to be filed with a town clerk, the town clerk shall
355 [forthwith] within ten days after the filing deadline, notify by certified
356 mail, return receipt requested, the person required to file that, if such
357 statement is not filed within [seven days after receiving such notice]
358 twenty-one days after the deadline, the person is in violation of section
359 9-333j. If the person does not file such statement within twenty-one
360 days after the deadline, the town clerk shall notify the State Elections
361 Enforcement Commission [that the person is in violation of said
362 section or subsection] within twenty-eight days after the deadline. The
363 penalty for any violation of said section or subsection shall be a fine of
364 not more than one thousand dollars or imprisonment for not more
365 than one year or both.

366 Sec. 10. This act shall take effect July 1, 2000.

Statement of Legislative Commissioners:

The new text in section 5 (d)(3) was divided into two sentences for clarity.

GAE Committee Vote: Yea 18 Nay 3 JFS